

**Community Preservation Act Committee (CPAC) Meeting  
Minutes Tuesday, October 16, 2007**

**CALL TO ORDER:** The meeting was called to order by Peter Jessop at 7:03 p.m. in the Town Room of Town Hall

**COMMITTEE MEMBERS IN ATTENDANCE:**

Denise Barberet, Louis Greenbaum, Peter Jessop, Vladimir Morales, Vince O'Connor, Nicki Robb, Mary Streeter, Stan Ziomek

**COMMITTEE MEMBERS ABSENT:** Kimberley Broderick

**STAFF / OTHERS IN ATTENDANCE:**

Sonia Aldrich, Comptroller, David Ziomek, Conservation and Planning Director, Larry Shaffer, Town Manager, Joel Bard, Town Counsel, Jonathan Tucker, Town Planner, Hwei-Ling Greeney, Rob Kusner, Select Board, Diana Stein, Liv Baker, Alan Powell, Town Meeting members

**AGENDA**

- Town Hall Restoration project
- Update on Cushman Brook Wildlife Corridor Project
- Vote minutes from prior meetings
- Call for Proposal Letter
- Tentative agenda for November 13th meeting
- Adjourn

**ANNOUNCEMENTS:**

- CPA Committee now has Special Municipal Employee (SME) Status
- Nicki Robb is resigning due to her duties as Chair of the Conservation Committee.
- Call for Proposals letter will be sent out next week

**DISCUSSION:**

**Town Hall Restoration project**

Larry Shaffer introduced Joel Bard, our new Town Counsel, who is present to answer questions. As to the question about whether it is legal for CPA funds to be used after funds for the Town Hall project were appropriated at the 2007 Annual Town Meeting, Attorney Bard stated that, after consultation with Bond Counsel, he had concluded that CPA funds can be used since no borrowing has yet occurred. Vince distributed a list of definitions of the word "supplant". Attorney Bard pointed out that the word "supplant" does not occur in the CPA statute. He said the bills the Town has already paid will not come out of CPA funds. Attorney Bard stated that the Town of Amherst is his client and not just the Select Board.

Larry Shaffer said the \$100,000 would pay for the clock tower and the south stairway. By his rough estimate the clock tower was expected to cost approximately \$25,000 and the stairs \$75,000. Specs for this work have yet to be completed and it would need to go out to bid. Vince suggested that the present contractor might be able to do this work through change orders or subcontractors. Larry said he will make some sort of arrangement for a lease of the current scaffolding. Vince suggested that the full amount (\$295,000 plus \$100,000) could be funded through borrowing. Mary said she could support \$295,000 plus \$25,000 for the

clock tower, but not the full amount. Vladimir said he preferred that the money go for human things and that this building was not a priority for him.

Stan made a motion that we recommend to Town Meeting that we borrow \$295,000 over 10 years and that we use \$100,000 from cash reserves. The motion was seconded by Louis. A minute later Vince made a motion recommending \$295,000 only all with borrowing. The committee agreed by consensus to discuss and vote on the higher amount first as is done at Town Meeting. The committee voted 5-3-0 to approve the motion with Mary, Vince, and Vladimir voting no.

### **Cushman Brook Wildlife Corridor**

Dave Ziomek said he does not yet have word on whether we have been awarded the state Self Help Grant. He showed maps of the Cushman Brook Wildlife Corridor. We discussed whether this land was developable. Nicki made a motion, seconded by Stan, that we request that Town Meeting authorize the spending of \$123,000 in CPA funds toward the acquisition of 28 acres known as the Cushman Brook Wildlife Corridor, conditional upon the receipt of a state self-help grant. Louis said he felt strongly that this project should not be funded and that we should keep the money in the bank for something that may come up in the future when competition for CPA dollars is likely to become more intense. The committee voted 6-1-0 to approve the motion with Louis voting no and Vladimir having left before the vote.

### **APPROVAL OF MINUTES**

Nicki made a motion seconded by Vince to accept the minutes of **9/25/07** as amended.

**Vote 5-0-3** to approve; (Denise, Louis, & Stan abstained)

Nicki made a motion seconded by Stan to accept the minutes of **4/26/07** as amended.

**Vote 4-0-4** to approve; (Denise, Louis, Mary, & Vladimir abstained)

Nicki made a motion to accept the minutes of **3/27/07** as amended.

**Vote 2-0-6** to approve; (Denise, Louis, Mary, Peter, Stan & Vladimir abstained)

### **Next Committee Meeting Dates**

Next Meetings - Town Room, second floor 7:00 PM

Tuesday, November 13, 2007

Tuesday, January 22, 2008

Tuesday, February 26, 2008

### **FOLLOW UP:**

Call for Proposals letter to be sent out next week

Wording for motions for Articles 7 & 8 to be provided by Town staff

**ADJOURNMENT:** Stan made a motion, seconded by Nicki to adjourn the meeting at 9:25pm  
VOTED unanimously

Respectfully Submitted by: Mary Streeter, Clerk

Minutes Approved: 1/22/08